

## REMARKS

### CLARIFICATION OF "DISPOSITION OF CLAIMS" ON OFFICE ACTION SUMMARY PAGE AND REQUEST TO WITHDRAW FINAL STATUS (MPEP 706.07(c)-(e))

Item 4 indicates that only claims 1 and 21-27 are pending herein; however, items 5 and 6 designate that claims 1-3, 5, 9-11, and 21-29, variously, are allowed or are rejected. Hence, item 4 is clearly in error.

In fact, it is believed that none of the pending claims 1-29 has been cancelled. Hence, the omission of reference to any of claims 4, 6-8 and 12-20 in the Summary page as well as in the Detailed Action renders the Action incomplete.

It furthermore is submitted that the Action is prematurely made final because of the incompleteness and the resulting uncertainty regarding which claims are pending and which are not.

The final status accordingly should be withdrawn. MPEP 706.07(c)-(e)

## RESPONSE

In accordance with the foregoing, claims 4,6-8, 12-20 and 27 are cancelled, without prejudice, and claims 23 and 26 are amended to overcome the 35 USC § 112, ¶ 2 rejections of same.

Claims 23 and 26 as now amended make clear that errors can be corrected without using the frame. Accordingly, the amended claims 23 and 26 set forth the structure of signals generated in a transmitting-end optical transmission device and overcome the § 112, ¶ 2 rejection of same.

## CONCLUSION

Entry of the amended claims 23 and 26 is respectfully requested, since rendering these claims now allowable and which, along with the cancellation of claim 27, place the application in condition for allowance.

Furthermore, as noted above, the finality of the Action is submitted to be premature and should be withdrawn in light of which entry of the Amendment is a matter of right

On either basis, it is submitted that the application is in condition for allowance, which action is earnestly solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

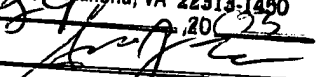
Respectfully submitted,

STAAS & HALSEY LLP

Date: July 9, 2003

By:   
H. J. Staas  
Registration No. 22,010

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
(202) 434-1500

**CERTIFICATE UNDER 37 CFR 1.8(a)**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 9, 2003  
STAAS & HALSEY  
By:   
Date: July 9, 2003